



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB3088

Introduced 2/19/2016, by Sen. Heather A. Steans

SYNOPSIS AS INTRODUCED:

15 ILCS 335/4	from Ch. 124, par. 24
730 ILCS 5/3-2.5-75	
730 ILCS 5/3-14-1	from Ch. 38, par. 1003-14-1

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall waive all fees when issuing an Illinois Identification Card to a natural person upon release as a committed person on parole, mandatory supervised release, aftercare release, final discharge, or pardon from the Department of Corrections or Department of Juvenile Justice. Amends the Unified Code of Corrections. Provides that upon the release of a person from imprisonment, the Department of Corrections for adults and the Department of Juvenile Justice for youths shall provide the eligible person with an identification card identifying the person as being on release. Deletes provision that the Departments shall require the person to pay a \$1 fee for the identification card. Deletes provision that the Departments shall establish criteria that the committed person must meet before the card is issued. Provides that an identification card issued by the Departments shall be valid for a period of time not to exceed 90 (rather than 30) calendar days from the date the card is issued.

LRB099 18906 RLC 43293 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Identification Card Act is amended
5 by changing Section 4 as follows:

6 (15 ILCS 335/4) (from Ch. 124, par. 24)

7 Sec. 4. Identification Card.

8 (a) The Secretary of State shall issue a standard Illinois
9 Identification Card to any natural person who is a resident of
10 the State of Illinois who applies for such card, or renewal
11 thereof, together with the prescribed fees. The Secretary of
12 State shall also issue a standard Illinois Identification Card
13 to any natural person ~~or~~ who applies for a standard Illinois
14 Identification Card upon release as a committed person on
15 parole, mandatory supervised release, aftercare release, final
16 discharge, or pardon from the Department of Corrections or
17 Department of Juvenile Justice by submitting an identification
18 card issued by the Department of Corrections or Department of
19 Juvenile Justice under Section 3-14-1 or Section 3-2.5-70 of
20 the Unified Code of Corrections, waiving all ~~together with the~~
21 prescribed fees. No identification card shall be issued to any
22 person who holds a valid foreign state identification card,
23 license, or permit unless the person first surrenders to the

1 Secretary of State the valid foreign state identification card,
2 license, or permit. The card shall be prepared and supplied by
3 the Secretary of State and shall include a photograph and
4 signature or mark of the applicant. However, the Secretary of
5 State may provide by rule for the issuance of Illinois
6 Identification Cards without photographs if the applicant has a
7 bona fide religious objection to being photographed or to the
8 display of his or her photograph. The Illinois Identification
9 Card may be used for identification purposes in any lawful
10 situation only by the person to whom it was issued. As used in
11 this Act, "photograph" means any color photograph or digitally
12 produced and captured image of an applicant for an
13 identification card. As used in this Act, "signature" means the
14 name of a person as written by that person and captured in a
15 manner acceptable to the Secretary of State.

16 (a-5) If an applicant for an identification card has a
17 current driver's license or instruction permit issued by the
18 Secretary of State, the Secretary may require the applicant to
19 utilize the same residence address and name on the
20 identification card, driver's license, and instruction permit
21 records maintained by the Secretary. The Secretary may
22 promulgate rules to implement this provision.

23 (a-10) If the applicant is a judicial officer as defined in
24 Section 1-10 of the Judicial Privacy Act or a peace officer,
25 the applicant may elect to have his or her office or work
26 address listed on the card instead of the applicant's residence

1 or mailing address. The Secretary may promulgate rules to
2 implement this provision. For the purposes of this subsection
3 (a-10), "peace officer" means any person who by virtue of his
4 or her office or public employment is vested by law with a duty
5 to maintain public order or to make arrests for a violation of
6 any penal statute of this State, whether that duty extends to
7 all violations or is limited to specific violations.

8 (a-15) The Secretary of State may provide for an expedited
9 process for the issuance of an Illinois Identification Card.
10 The Secretary shall charge an additional fee for the expedited
11 issuance of an Illinois Identification Card, to be set by rule,
12 not to exceed \$75. All fees collected by the Secretary for
13 expedited Illinois Identification Card service shall be
14 deposited into the Secretary of State Special Services Fund.
15 The Secretary may adopt rules regarding the eligibility,
16 process, and fee for an expedited Illinois Identification Card.
17 If the Secretary of State determines that the volume of
18 expedited identification card requests received on a given day
19 exceeds the ability of the Secretary to process those requests
20 in an expedited manner, the Secretary may decline to provide
21 expedited services, and the additional fee for the expedited
22 service shall be refunded to the applicant.

23 (b) The Secretary of State shall issue a special Illinois
24 Identification Card, which shall be known as an Illinois Person
25 with a Disability Identification Card, to any natural person
26 who is a resident of the State of Illinois, who is a person

1 with a disability as defined in Section 4A of this Act, who
2 applies for such card, or renewal thereof. No Illinois Person
3 with a Disability Identification Card shall be issued to any
4 person who holds a valid foreign state identification card,
5 license, or permit unless the person first surrenders to the
6 Secretary of State the valid foreign state identification card,
7 license, or permit. The Secretary of State shall charge no fee
8 to issue such card. The card shall be prepared and supplied by
9 the Secretary of State, and shall include a photograph and
10 signature or mark of the applicant, a designation indicating
11 that the card is an Illinois Person with a Disability
12 Identification Card, and shall include a comprehensible
13 designation of the type and classification of the applicant's
14 disability as set out in Section 4A of this Act. However, the
15 Secretary of State may provide by rule for the issuance of
16 Illinois Person with a Disability Identification Cards without
17 photographs if the applicant has a bona fide religious
18 objection to being photographed or to the display of his or her
19 photograph. If the applicant so requests, the card shall
20 include a description of the applicant's disability and any
21 information about the applicant's disability or medical
22 history which the Secretary determines would be helpful to the
23 applicant in securing emergency medical care. If a mark is used
24 in lieu of a signature, such mark shall be affixed to the card
25 in the presence of two witnesses who attest to the authenticity
26 of the mark. The Illinois Person with a Disability

1 Identification Card may be used for identification purposes in
2 any lawful situation by the person to whom it was issued.

3 The Illinois Person with a Disability Identification Card
4 may be used as adequate documentation of disability in lieu of
5 a physician's determination of disability, a determination of
6 disability from a physician assistant, a determination of
7 disability from an advanced practice nurse, or any other
8 documentation of disability whenever any State law requires
9 that a person with a disability provide such documentation of
10 disability, however an Illinois Person with a Disability
11 Identification Card shall not qualify the cardholder to
12 participate in any program or to receive any benefit which is
13 not available to all persons with like disabilities.
14 Notwithstanding any other provisions of law, an Illinois Person
15 with a Disability Identification Card, or evidence that the
16 Secretary of State has issued an Illinois Person with a
17 Disability Identification Card, shall not be used by any person
18 other than the person named on such card to prove that the
19 person named on such card is a person with a disability or for
20 any other purpose unless the card is used for the benefit of
21 the person named on such card, and the person named on such
22 card consents to such use at the time the card is so used.

23 An optometrist's determination of a visual disability
24 under Section 4A of this Act is acceptable as documentation for
25 the purpose of issuing an Illinois Person with a Disability
26 Identification Card.

1 When medical information is contained on an Illinois Person
2 with a Disability Identification Card, the Office of the
3 Secretary of State shall not be liable for any actions taken
4 based upon that medical information.

5 (c) The Secretary of State shall provide that each original
6 or renewal Illinois Identification Card or Illinois Person with
7 a Disability Identification Card issued to a person under the
8 age of 21 shall be of a distinct nature from those Illinois
9 Identification Cards or Illinois Person with a Disability
10 Identification Cards issued to individuals 21 years of age or
11 older. The color designated for Illinois Identification Cards
12 or Illinois Person with a Disability Identification Cards for
13 persons under the age of 21 shall be at the discretion of the
14 Secretary of State.

15 (c-1) Each original or renewal Illinois Identification
16 Card or Illinois Person with a Disability Identification Card
17 issued to a person under the age of 21 shall display the date
18 upon which the person becomes 18 years of age and the date upon
19 which the person becomes 21 years of age.

20 (c-3) The General Assembly recognizes the need to identify
21 military veterans living in this State for the purpose of
22 ensuring that they receive all of the services and benefits to
23 which they are legally entitled, including healthcare,
24 education assistance, and job placement. To assist the State in
25 identifying these veterans and delivering these vital services
26 and benefits, the Secretary of State is authorized to issue

1 Illinois Identification Cards and Illinois Person with a
2 Disability Identification Cards with the word "veteran"
3 appearing on the face of the cards. This authorization is
4 predicated on the unique status of veterans. The Secretary may
5 not issue any other identification card which identifies an
6 occupation, status, affiliation, hobby, or other unique
7 characteristics of the identification card holder which is
8 unrelated to the purpose of the identification card.

9 (c-5) Beginning on or before July 1, 2015, the Secretary of
10 State shall designate a space on each original or renewal
11 identification card where, at the request of the applicant, the
12 word "veteran" shall be placed. The veteran designation shall
13 be available to a person identified as a veteran under
14 subsection (b) of Section 5 of this Act who was discharged or
15 separated under honorable conditions.

16 (d) The Secretary of State may issue a Senior Citizen
17 discount card, to any natural person who is a resident of the
18 State of Illinois who is 60 years of age or older and who
19 applies for such a card or renewal thereof. The Secretary of
20 State shall charge no fee to issue such card. The card shall be
21 issued in every county and applications shall be made available
22 at, but not limited to, nutrition sites, senior citizen centers
23 and Area Agencies on Aging. The applicant, upon receipt of such
24 card and prior to its use for any purpose, shall have affixed
25 thereon in the space provided therefor his signature or mark.

26 (e) The Secretary of State, in his or her discretion, may

1 designate on each Illinois Identification Card or Illinois
2 Person with a Disability Identification Card a space where the
3 card holder may place a sticker or decal, issued by the
4 Secretary of State, of uniform size as the Secretary may
5 specify, that shall indicate in appropriate language that the
6 card holder has renewed his or her Illinois Identification Card
7 or Illinois Person with a Disability Identification Card.

8 (Source: P.A. 98-323, eff. 1-1-14; 98-463, eff. 8-16-13;
9 98-558, eff. 1-1-14; 98-756, eff. 7-16-14; 99-143, eff.
10 7-27-15; 99-173, eff. 7-29-15; 99-305, eff. 1-1-16; revised
11 10-14-15.)

12 Section 10. The Unified Code of Corrections is amended by
13 changing Sections 3-2.5-75 and 3-14-1 as follows:

14 (730 ILCS 5/3-2.5-75)

15 Sec. 3-2.5-75. Release from Department of Juvenile
16 Justice.

17 (a) Upon release of a youth on aftercare, the Department
18 shall return all property held for the youth, provide the youth
19 with suitable clothing, and procure necessary transportation
20 for the youth to his or her designated place of residence and
21 employment. It may provide the youth with a grant of money for
22 travel and expenses which may be paid in installments. The
23 amount of the money grant shall be determined by the
24 Department.

1 (b) Before a wrongfully imprisoned person, as defined in
2 Section 3-1-2 of this Code, is discharged from the Department,
3 the Department shall provide him or her with any documents
4 necessary after discharge, including an identification card
5 under subsection (e) of this Section.

6 (c) The Department of Juvenile Justice may establish and
7 maintain, in any institution it administers, revolving funds to
8 be known as "Travel and Allowances Revolving Funds". These
9 revolving funds shall be used for advancing travel and expense
10 allowances to committed, released, and discharged youth. The
11 moneys paid into these revolving funds shall be from
12 appropriations to the Department for committed, released, and
13 discharged prisoners.

14 (d) Upon the release of a youth on aftercare, the
15 Department shall provide that youth with information
16 concerning programs and services of the Department of Public
17 Health to ascertain whether that youth has been exposed to the
18 human immunodeficiency virus (HIV) or any identified causative
19 agent of Acquired Immunodeficiency Syndrome (AIDS).

20 (e) Upon the release of a youth on aftercare or who has
21 been wrongfully imprisoned, the Department shall provide the
22 eligible youth ~~who has met the criteria established by the~~
23 ~~Department~~ with an identification card identifying the youth as
24 being on aftercare or wrongfully imprisoned, as the case may
25 be. The Department, in consultation with the Office of the
26 Secretary of State, shall prescribe the form of the

1 identification card, which may be similar to the form of the
2 standard Illinois Identification Card. The Department shall
3 inform the youth that he or she may present the identification
4 card to the Office of the Secretary of State upon application
5 for a standard Illinois Identification Card in accordance with
6 the Illinois Identification Card Act. ~~The Department shall~~
7 ~~require the youth to pay a \$1 fee for the identification card.~~

8 ~~For purposes of a youth receiving an identification card~~
9 ~~issued by the Department under this subsection, the Department~~
10 ~~shall establish criteria that the youth must meet before the~~
11 ~~card is issued. It is the sole responsibility of the youth~~
12 ~~requesting the identification card issued by the Department to~~
13 ~~meet the established criteria. The youth's failure to meet the~~
14 ~~criteria is sufficient reason to deny the youth the~~
15 ~~identification card.~~ An identification card issued by the
16 Department under this subsection shall be valid for a period of
17 time not to exceed 90 ~~30~~ calendar days from the date the card
18 is issued. The Department shall not be held civilly or
19 criminally liable to anyone because of any act of any person
20 utilizing a card issued by the Department under this
21 subsection.

22 The Department shall adopt rules governing the issuance of
23 identification cards to youth being released on aftercare or
24 pardon.

25 (Source: P.A. 98-558, eff. 1-1-14; 98-685, eff. 1-1-15.)

1 (730 ILCS 5/3-14-1) (from Ch. 38, par. 1003-14-1)

2 Sec. 3-14-1. Release from the Institution.

3 (a) Upon release of a person on parole, mandatory release,
4 final discharge or pardon the Department shall return all
5 property held for him, provide him with suitable clothing and
6 procure necessary transportation for him to his designated
7 place of residence and employment. It may provide such person
8 with a grant of money for travel and expenses which may be paid
9 in installments. The amount of the money grant shall be
10 determined by the Department.

11 (a-1) The Department shall, before a wrongfully imprisoned
12 person, as defined in Section 3-1-2 of this Code, is discharged
13 from the Department, provide him or her with any documents
14 necessary after discharge, including an identification card
15 under subsection (e) of this Section.

16 (a-2) The Department of Corrections may establish and
17 maintain, in any institution it administers, revolving funds to
18 be known as "Travel and Allowances Revolving Funds". These
19 revolving funds shall be used for advancing travel and expense
20 allowances to committed, paroled, and discharged prisoners.
21 The moneys paid into such revolving funds shall be from
22 appropriations to the Department for Committed, Paroled, and
23 Discharged Prisoners.

24 (b) (Blank).

25 (c) Except as otherwise provided in this Code, the
26 Department shall establish procedures to provide written

1 notification of any release of any person who has been
2 convicted of a felony to the State's Attorney and sheriff of
3 the county from which the offender was committed, and the
4 State's Attorney and sheriff of the county into which the
5 offender is to be paroled or released. Except as otherwise
6 provided in this Code, the Department shall establish
7 procedures to provide written notification to the proper law
8 enforcement agency for any municipality of any release of any
9 person who has been convicted of a felony if the arrest of the
10 offender or the commission of the offense took place in the
11 municipality, if the offender is to be paroled or released into
12 the municipality, or if the offender resided in the
13 municipality at the time of the commission of the offense. If a
14 person convicted of a felony who is in the custody of the
15 Department of Corrections or on parole or mandatory supervised
16 release informs the Department that he or she has resided,
17 resides, or will reside at an address that is a housing
18 facility owned, managed, operated, or leased by a public
19 housing agency, the Department must send written notification
20 of that information to the public housing agency that owns,
21 manages, operates, or leases the housing facility. The written
22 notification shall, when possible, be given at least 14 days
23 before release of the person from custody, or as soon
24 thereafter as possible. The written notification shall be
25 provided electronically if the State's Attorney, sheriff,
26 proper law enforcement agency, or public housing agency has

1 provided the Department with an accurate and up to date email
2 address.

3 (c-1) (Blank).

4 (c-2) The Department shall establish procedures to provide
5 notice to the Department of State Police of the release or
6 discharge of persons convicted of violations of the
7 Methamphetamine Control and Community Protection Act or a
8 violation of the Methamphetamine Precursor Control Act. The
9 Department of State Police shall make this information
10 available to local, State, or federal law enforcement agencies
11 upon request.

12 (c-5) If a person on parole or mandatory supervised release
13 becomes a resident of a facility licensed or regulated by the
14 Department of Public Health, the Illinois Department of Public
15 Aid, or the Illinois Department of Human Services, the
16 Department of Corrections shall provide copies of the following
17 information to the appropriate licensing or regulating
18 Department and the licensed or regulated facility where the
19 person becomes a resident:

20 (1) The mittimus and any pre-sentence investigation
21 reports.

22 (2) The social evaluation prepared pursuant to Section
23 3-8-2.

24 (3) Any pre-release evaluation conducted pursuant to
25 subsection (j) of Section 3-6-2.

26 (4) Reports of disciplinary infractions and

1 dispositions.

2 (5) Any parole plan, including orders issued by the
3 Prisoner Review Board, and any violation reports and
4 dispositions.

5 (6) The name and contact information for the assigned
6 parole agent and parole supervisor.

7 This information shall be provided within 3 days of the
8 person becoming a resident of the facility.

9 (c-10) If a person on parole or mandatory supervised
10 release becomes a resident of a facility licensed or regulated
11 by the Department of Public Health, the Illinois Department of
12 Public Aid, or the Illinois Department of Human Services, the
13 Department of Corrections shall provide written notification
14 of such residence to the following:

15 (1) The Prisoner Review Board.

16 (2) The chief of police and sheriff in the municipality
17 and county in which the licensed facility is located.

18 The notification shall be provided within 3 days of the
19 person becoming a resident of the facility.

20 (d) Upon the release of a committed person on parole,
21 mandatory supervised release, final discharge or pardon, the
22 Department shall provide such person with information
23 concerning programs and services of the Illinois Department of
24 Public Health to ascertain whether such person has been exposed
25 to the human immunodeficiency virus (HIV) or any identified
26 causative agent of Acquired Immunodeficiency Syndrome (AIDS).

1 (e) Upon the release of a committed person on parole,
2 mandatory supervised release, final discharge, pardon, or who
3 has been wrongfully imprisoned, the Department shall provide
4 the eligible person ~~who has met the criteria established by the~~
5 ~~Department~~ with an identification card identifying the person
6 as being on parole, mandatory supervised release, final
7 discharge, pardon, or wrongfully imprisoned, as the case may
8 be. The Department, in consultation with the Office of the
9 Secretary of State, shall prescribe the form of the
10 identification card, which may be similar to the form of the
11 standard Illinois Identification Card. The Department shall
12 inform the committed person that he or she may present the
13 identification card to the Office of the Secretary of State
14 upon application for a standard Illinois Identification Card in
15 accordance with the Illinois Identification Card Act. ~~The~~
16 ~~Department shall require the committed person to pay a \$1 fee~~
17 ~~for the identification card.~~

18 ~~For purposes of a committed person receiving an~~
19 ~~identification card issued by the Department under this~~
20 ~~subsection, the Department shall establish criteria that the~~
21 ~~committed person must meet before the card is issued. It is the~~
22 ~~sole responsibility of the committed person requesting the~~
23 ~~identification card issued by the Department to meet the~~
24 ~~established criteria. The person's failure to meet the criteria~~
25 ~~is sufficient reason to deny the committed person the~~
26 ~~identification card.~~ An identification card issued by the

1 Department under this subsection shall be valid for a period of
2 time not to exceed 90 ~~30~~ calendar days from the date the card
3 is issued. The Department shall not be held civilly or
4 criminally liable to anyone because of any act of any person
5 utilizing a card issued by the Department under this
6 subsection.

7 The Department shall adopt rules governing the issuance of
8 identification cards to committed persons being released on
9 parole, mandatory supervised release, final discharge, or
10 pardon.

11 (f) Forty-five days prior to the scheduled discharge of a
12 person committed to the custody of the Department of
13 Corrections, the Department shall give the person who is
14 otherwise uninsured an opportunity to apply for health care
15 coverage including medical assistance under Article V of the
16 Illinois Public Aid Code in accordance with subsection (b) of
17 Section 1-8.5 of the Illinois Public Aid Code, and the
18 Department of Corrections shall provide assistance with
19 completion of the application for health care coverage
20 including medical assistance. The Department may adopt rules to
21 implement this Section.

22 (Source: P.A. 98-267, eff. 1-1-14; 99-415, eff. 8-20-15.)